



**REGULAR MEETING
MINUTES
for
Wednesday, September 22, 2004
4:00 P.M. – Council Chamber Boardroom
and
5:30 P.M. - Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 P.M.

1) Roll Call

Present: Commissioners Brewer, Davidson, Garcia, Gardner, Percy, Ward, and Quinto

Absent: Commissioners Corral and Huerta

2) Public Comment

Mr. Gregory spoke before the Commission regarding his case.

3) Closed Session – Case Reviews

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:11 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

| <u>CPRC CASE NO.</u> | <u>IA CASE NO.</u> | <u>CPRC CASE NO.</u> | <u>IA CASE NO.</u> |
|----------------------|--------------------|----------------------|--------------------|
| 1) 03-071 | PC-03-269-064 | 5) 04-027 | PC-04-113-098 |
| 2) 03-079 | PC-03-297-278 | 6) 04-030 | PC-04-121-144 |
| 3) 04-003 | PC-04-019-175 | 7) 04-035 | PC-04-145-260 |
| 4) 04-013 | PC-04-051-215 | 8) 04-036 | PC-04-150-007 |

The Commission recessed at 5:25 p.m. to reconvene in the Council Chambers at 5:30 p.m.

OPEN SESSION – 5:30 P.M.

**The following proceedings have been digitally recorded.
For copies, please call the CPRC office at (909) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

Roll Call

Present: Commissioners Brewer, Davidson, Garcia, Gardner, Huerta, Percy, and Ward

Absent: Commissioners Corral and Quito

4) Approval of Minutes

Commissioner Percy moved to approve the minutes for the August regular meeting. Commissioner Garcia seconded the motion. Commissioner Quito moved to approve the minutes for the September 8 case review meeting. Commissioner Garcia seconded the motion. Both motions passed 7 for, 0 against, 0 abstentions.

5) Executive Director's Report & Comments

The Executive Director advised the Commission that the subpoena for Officer Banfill Gould had been issued and delivered to the Riverside Police Department's subpoena clerk.

Mr. Williams also said that the arrangements for the NACOLE conference had finally been ironed out.

6) Commissioner's Comments

Commissioner Davidson said he would be driving to Chicago to attend the NACOLE conference.

Commissioner Quito suggested that the NACOLE attendees prepare a formal presentation for the Commission and groups in the community that are interested in hearing about what was learned at the conference.

Commissioner Ward

- asked about discussing a memo the commissioners received from the City Attorney.
 - Mr. Williams said that if Attorney / Client privilege has been noted on memo, it must be discussed in closed session and must be agendized.
- asked how the City Attorney can claim Attorney / Client privileges yet can't meet in private with the Commission because of the Brown Act.
 - Mr. Williams said that the Police Officers' Bill of Rights isn't covered under Attorney / Client privilege
- said that the community thinks the CPRC has the wherewithal to do exactly what it needs to do - does the Commission have the power or not.
 - Mr. Williams said that the Commission does have the authority to do what it needs to do within the parameters of the law. The law says people have 5th Amendment rights.

Commissioner Garcia advised the Commission of two meetings:

- AIRS meeting at the Casa Blanca Home of Neighborly Services on October 6 at 6:30 p.m.
- Casa Blanca CAG meeting at the Villegas Park Community Center on October 13 at 7:00 p.m.

7) Public Comments

Mary Shelton

Ms. Shelton expressed concern about the interaction between the Commission and the City Attorney's office.

Ms. Shelton also said that there is a perception that if someone is subpoenaed they'll talk, but doesn't think the officer will talk.

Ralph Avila

Mr. Avila said that the Police Department is physically and emotionally abusive to community. He said it is vital for the Commission to settle any differences in an international arena and to have an end to a wrong that affects everyone.

8) Committee Reports

A) Outreach Committee – Commissioner Percy, Chair

Commissioner Percy reported to the Commission on his and Commissioner Davidson's roll call presentations at RPD. He said

- they went to roll call training three days - nine watches covering all patrol officers;
- Commissioner Davidson gave a great perspective of all the commissioners and why they became members
- many generic questions were asked
 - why hadn't they come to RPD before;
 - why now;
 - why did take so long to come;
 - did you come now because of the charter review, the subpoena;
 - how is CPRC business conducted and what happens to the documentation
 - members of the commission are anti-police;
 - budget;
 - who does investigations for CPRC;
 - perception that only a small segment of community support the Commission.
- he told the officers that members of the legal and business communities support the Commission;
- hard questions were asked, but answered;
- last meeting probably most successful;
- detectives - not patrol - had heard about the meetings and came to roll call.

Commissioner Davidson communication was the main issue. He said he was amazed at how much the officers didn't know about the Commission. He said it was very rewarding.

B) Budget Committee – Commissioner Garcia, Chair

Commissioner Garcia reported to the Commission on

- the info received from the City Attorney in avoiding conflict in taking donations;
- discussion of uses for solicited funds;
- discussion on how to assist outreach committee;
- search for foundations to assist the Commission.

C) Policy & Procedures Review Committee – Jack Brewer, Chair

Commissioner Brewer reported that the committee had not met yet, but members have been reviewing the RPD Policy and Procedures manual. He also suggested that the committee be an ad-hoc committee since he didn't think it would need to meet every month.

Chairman Gardner agreed that the committee might not need to meet regularly, but said he wanted to leave it as a standing committee for the time being.

Commissioner Percy was at the meeting when the deputy chief asked the Commission to review the manual. Commissioner Percy also suggested doing a comparative analysis of RPD's policies to those in cities of similar size.

Commissioner Garcia said that if commissioners have questions regarding certain policies, that they meet with the Department.

14) Rene Guevara Officer-Involved Death Case

Chairman Gardner asked about the report. Executive Director Williams said there has been nothing new in this case. He asked Chairman Gardner if wanted to wait to finish with the Stokes case before proceeding with this one. Chairman Gardner said he would prefer to proceed.

The Commission adjourned at 6:28 p.m.

Respectfully submitted,

PHOEBE SHERRON
Sr. Office Specialist